CREATING WELCOMING COMMUNITIES

Pro-Immigrant Advocacy with City & County Policymakers

October 6, 2014
Our Presenters

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Workshop Outline

• The role of city and county policymakers in immigrant integration
• Local pro-immigrant initiatives – national trends
• Strategies and tools for effective pro-immigrant advocacy on a local level
• Developing a local advocacy campaign (work in small groups)
• Questions and answers
Measures to INTEGRATE and INCLUDE Immigrants

1. Resisting Immigration Enforcement

2. Welcoming Unaccompanied Children

3. Creating Municipal Identification Card Programs
City/County Governments & Immigrants

- City Council
- Board of County Commissioners
- Mayor
- Police Chief and Sheriff
- City/County Office of Education and School District
- Health Department
- Other City and County Service Providers
ICE Reliance on Partnerships with Local Law Enforcement

Secure Communities (“SComm”)
- Fingerprints and database checks
- ICE knows about every single person arrested in the entire country
- Participation is mandatory

Criminal Alien Program
- Booking lists, interviews, and notifications to ICE
- Participation is voluntary

287(g)
- Local law enforcement agents are permitted to perform ICE agent duties in jails
- Currently, ICE has agreements with 35 law enforcement agencies in 18 states
- Participation is voluntary

ICE’s Primary Tool = Immigration Detainers
- 48-hour hold request allows transfer of custody from local jail to ICE
- Have enabled hundreds of thousands of deportations
Immigration Detainer (aka “ICE hold”)

A request from ICE to the local or state police, jail, sheriffs, or other law enforcement agency:

1. ICE is interested in this person
2. Please contact ICE before you release the person, to let ICE know when they will be let go
3. Please hold the person after their release date for an extra 48 hours to give ICE time to come get them
THE CRIMINAL JUSTICE PROCESS

START: POLICE STOP/ARREST

BOOKING INTO JAIL AFTER ARREST

ARRESTEE IN JAIL (Pre/Post Bail Hearing)

BAIL/CUSTODY HEARING

CRIMINAL CHARGES & DISPOSITION (plea/trial/dismissal/sentence)

POST-CONVICTION (appeal, completion of sentence, release from criminal custody, probation)
Advocacy to Limit Cooperation with ICE: Immigration Detainer Policies

2011-2012: Ordinances & resolutions limiting compliance with immigration detainers in a small number of localities.

2013: Approximately 20 localities have detainer policies (plus California and Connecticut).

Spring of 2014: Court opinions question the legality of local holds based on ICE detainers.

Oct 2014: There are more than 250 policies nationwide!

Map courtesy of the Immigrant Legal Resource Center www.ilrc.org/enforcement
What might a detainer policy look like?

- A State Law
- A City Council Ordinance, Resolution, or Policy
- A County Board Ordinance, Resolution, or Policy
- A Mayor’s Executive Order
- A Sheriff’s Policy, Directive, Procedural Order, Announcement, or Memorandum
- A Police Department Policy, Directive, Procedural Order, Announcement, or Memorandum
- A City/County Detention Center Policy
- A City/County Department of Corrections Policy
A Local Detainer Policy Win: Doña Ana County, New Mexico

Slide courtesy of the Border Network for Human Rights

www.bnhr.org
Advocacy Resources

https://cliniclegal.org/programs/advocacy/state-and-local

- Webinar - Communities Resisting Immigration Enforcement: Detainer Policies and Local Advocacy
- States and Localities That Limit Compliance with ICE Detainer Requests
- The Cost of State & Local Involvement in Immigration Enforcement
- Talking Points: Why States Should Separate Local Policing From Immigration Enforcement
- A Tool Kit for Communities to Advocate Against ICE Partnerships with Local Law Enforcement Agencies

www.ilrc.org/enforcement
https://www.aclu.org/affiliates
http://www.ice.gov/secure_communities/
http://www.ice.gov/287g/
http://www.ice.gov/criminal-alien-program/
Welcoming and Protecting Unaccompanied Children

Who Are Unaccompanied Children (UACs)?

What Are the Numbers?
- 66,142 children so far in FY2014

Where Are They Coming From?
- Guatemala: 37%
- Honduras: 30%
- El Salvador: 26%

Why Are Children Coming?
- Widespread gang violence
- Domestic violence/abuse
- Extreme poverty
- Join family members in the U.S.

How Do Children Get to my Community?
Statistics by State

Children Released to Sponsors Jan 1 to Aug 31, 2014

What Can Local Governments Do…

To facilitate access to **existing** legal services, education, healthcare, & other social services?

To **expand access** to much-needed services?

- Conduct outreach
- Create a task force
- Fill the gaps in services
- Pass a resolution of welcome
- Assist with housing
- Issue calls to action
- Fund services
- Coordinate & connect
http://buscandomaryland.com/
A Local Success in San Francisco, CA

- Board of Supervisors Ordinance
- $2.1 million funding for *pro bono* legal services to represent unaccompanied children & families

*Slide courtesy of Pangea Legal Services*
Advocacy Resources

ADVOCACY IN YOUR COMMUNITY

10 Ways to Welcome the Children at Our Border

10 suggestions on how to show support for unaccompanied children.

The Impact of Unaccompanied Children on Local Communities - Frequently Asked Questions

Answers to questions about when and how unaccompanied children may come to live in your community and what impact they might have on local schools, healthcare services, and public safety.

Webinar – Advocating to Protect Unaccompanied Children in Your Community

This webinar addresses advocacy on behalf of unaccompanied children residing with sponsors and relatives across the United States as they await their immigration hearings.

GOVERNMENTAL ADVOCACY


Review examples of state and local resolutions seeking to meet the housing, legal services, healthcare, and educational needs of young migrants in your community.

https://cliniclegal.org/resources/unaccompanied-migrant-children-toolkit
Municipal Identification Card Initiatives

- Los Angeles, CA
- Oakland, CA
- Richmond, CA
- San Francisco, CA
- New Haven, CT
- Washington, DC
- Mercer County, NJ (Princeton & Trenton)
- Asbury Park, NJ
- Freehold, NJ
- New York City, NY

Campaigns are underway in:
Charlotte, Philadelphia, Iowa City, Boston, Tucson, Phoenix
What vulnerable groups would benefit from eligibility for municipal ID cards?

• Undocumented immigrants
• Victims of domestic violence or natural disaster
• The homeless
• Low-income senior citizens
• Youth in foster care
• The formerly incarcerated
How Do Municipal ID Cards Improve Individuals’ Lives?

• Report a crime or file a complaint with the police
• Assert one’s identity to emergency medical responders
• Report wage or other workplace violations
• Rent an apartment
• Obtain services from local utilities
• Open a bank account
• Cash a check
• Obtain a loan
• Pay for purchases with a check, credit card, or debit card
• See a doctor at a city-run health clinic
• Fill a prescription
• Obtain insurance
• Pick up a child from school
• Enter a government building
• Borrow a book from the library
• Access a city park, beach, or recreation center
• Collect a package from the post office
Advocacy Resources

Through Municipal ID Card Initiatives, Cities Work to Document the Undocumented

Talking Points: Why Cities Should Issue Municipal ID Cards to All Residents
How Will Municipal ID Cards Improve Individuals’ Lives?

https://cliniclegal.org/programs/advocacy/state-and-local

New York City’s Local Law No. 35 of 2014

Who We Are: Municipal ID Cards as a Local Strategy to Promote Belonging and Shared Community Identity, Center for Popular Democracy, Dec 2013,

https://cliniclegal.org/undocumented-population-estimate-2013
What Do Pro-Immigrant Policies Look Like?

• Resolutions
• Ordinances
• Executive orders
• Budgetary measures
• Creation of a local immigrant affairs office or immigrant integration task force

All measures start with relationship building.
Advocacy Tools & Strategies
Developing a Local Advocacy Campaign

Working in small groups…
1. Select a city or county
2. Identify an issue of concern to the local immigrant community
3. Target a local decisionmaker
4. Formulate an “ask”
5. Devise an advocacy plan